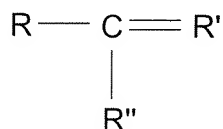


REMARKS

Currently, claims 1, 5-7, 12-16, and 18-21, including independent claim 1 and 16, are pending in the present application. Independent claim 1, for instance, is directed to an assay device for detecting the presence or absence of amines within a test sample. The assay device comprises a porous membrane (e.g., nitrocellulose strip) that defines a detection zone. A chemichromic dye is contained within the detection zone. Independent claim 1 also requires that the chemichromic dye includes a triarylmethane that is capable of undergoing a detectable color change upon reaction with one or more amines, the triarylmethane having the following general structure:



wherein R, R', and R'' are independently selected from substituted and unsubstituted aryl groups. Examples of such triarylmethanes include, for instance, pararosanilin, alpha-naphtholbenzein, naphthocrome green, or analogs thereof.

In the Office Action, independent claim 1 was rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Application Publication No. 2006/0008921 to Daniels, et al. in view of U.S. Patent No. 7,014,816 to Miller, et al. and U.S. Patent Application Publication No. 2005/0085739 to MacDonald, et al. As correctly noted in the Office Action, both Daniels, et al. and Miller, et al. completely fail to disclose certain limitations of the present claims, such as the use of a chemichromic dye in the detection that includes a triarylmethane capable of undergoing a detectable color change upon reaction with one or more amines. Nevertheless, MacDonald, et al. was cited for this teaching. However, MacDonald, et al. is not available as prior art because both

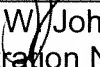
MacDonald, et al. and the present application were, at the time the invention was made, owned by Kimberly-Clark Worldwide, Inc.¹ Of course, even if the subject matter referred to in the Office Action is somehow considered prior art, it certainly would not have been obvious to one of ordinary skill in the art to incorporate the claimed chemichromic dye in an assay device for detecting the presence or absence of amines within a test sample.

Thus, it is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner DiRamio is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Response.

Please charge any additional fees required by this Response to Deposit Account No. 04-1403.

Respectfully requested,

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Date: 8/7/08

¹ See the assignments recorded at Reel/Frame 015490/0713, 014998/0113, and 015014/0961.